

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMISI JERMAINE CALLOWAY,
Plaintiff,
v.
M. MARTEL, et al.,
Defendants.

No. 2:20-cv-01384-TLN-CKD

ORDER

Plaintiff is a state prisoner proceeding pro se in this closed civil rights action. After appealing the dismissal of this case for failing to follow a court order, plaintiff filed a motion seeking to stop the filing fees being removed from his prison trust account. ECF No. 34. By order dated August 21, 2020, the court granted plaintiff in forma pauperis status and directed the California Department of Corrections and Rehabilitation to collect an initial partial filing fee and monthly payments from his prison trust account until the \$350 filing fee was paid in full. See ECF Nos. 7, 8. The court's Finance Unit has verified that the initial \$350 filing fee has been paid in full in this case. The court grants plaintiff's motion to the extent that it requests that no further deductions be made from his prison trust account to pay the \$350 filing fees for this civil action.

However, plaintiff appealed the dismissal of this action to the Ninth Circuit Court of Appeal resulting in an additional \$505 charge in filing fees. See ECF No. 27 (notice of appeal). This court has no authority to terminate the payment of the filing fees for plaintiff's appeal. To


1 the extent that plaintiff seeks the removal of the appellate filing fees from his prison trust account,
2 his motion is denied.

3 Plaintiff is further advised that any future motions filed in this closed case will be
4 disregarded.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. Plaintiff's motion to remove the filing fee payments from his prison trust account
7 (ECF No. 34) is granted in part and denied in part as explained herein.
- 8 2. Any future motions filed in this closed case will be disregarded.

9 Dated: April 10, 2023

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11 CAROLYN K. DELANEY
12 UNITED STATES MAGISTRATE JUDGE
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